IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 999 OF 2004

Office notes, office Memoranda of Coram, appearances, Court's orders or directions & Registrar's orders	Court's or Judge's Orders

Shri A.S.Shitole, APP for the State.

CORAM: R.S.Mohite, J.
DATE : 13th January, 2006.

P.C.:

1. This is an appeal filed by the State impugning the judgment and order passed by the 8th Ad hoc Assistant Sessions Judge, Pune on 14.05.2004 acquitting the accused for the offences punishable under 324, 323, 504 read with 34 of the Indian Penal Code and under section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act as well as under section 7(1)(d) of the Protection of Civil Rights Act. On perusal of the impugned judgment and order, it is seen that the same has

been passed on cogent and acceptable reasons. As far as offence under the Atrocities Act and Protection of Civil Rights is concerned, it is seen that only utterance made by the accused was calling son of the complainant as "Chambhar". That by itself cannot be offence. As far as other sections of the Penal Code are concerned, medical officer was not examined by the prosecution. Hence, the injuries could not be proved. The view taken is a possible view and in the circumstances, leave is refused and consequently, the appeal stands dismissed.

(R.S.Mohite, J.)